IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1370 OF 2004

The State of Maharashtra ...Appellant

vs.

Anil Dinkar Wadar and others ...Respondents

Mr.D.P.Adsule, A.P.P.for the Appellant
Mr.Shivajirao Masul for Respondent Nos.1 to 6.

CORAM: A.S.OKA,J.
DATE : DECEMBER 4,2006.

P.C.:

1. Heard learned A.P.P. for the Appellant-State on the prayer for grant of leave. The acquittal of the Respondents is for offences under sections 498-A and 306 read with section 34 of the Indian Penal Code.

2. I have perused the impugned Judgment and Order. The learned Judge has considered the evidence of the prosecution witnesses. The learned Judge has considered the admissions given by P.W.No.2-Ramabai Wadar, the mother of the deceased that she was quarrelling with the accused persons and due to her fear accused persons have left the concerned village. She also admitted that her deceased daughter was opposing her marriage with accused Anil. The court has also considered the evidence of brother of the deceased. The Court was of the view that the evidence of both the witnesses creates a serious doubt about the truthfulness of the prosecution case. In this

context, the court has not accepted the evidence of P.W.No.4 Sou.Akkatai Suryavanshi. The allegation of the prosecution was regarding a demand of Rs.50,000/-. The learned Judge has held that none of the prosecution witnesses have substantiated the existence of demand.

3. The view taken by the learned Judge is a possible view which could have been taken on the basis of the evidence on record. No case is made out for grant of leave. Appeal is dismissed.

JUDGE